

Transportation

PUBLIC 473 An Act to Allow Sharing of Information to Facilitate Interstate LD 1841
Cooperation Between Toll Agencies

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP MAJ	
DAGGETT	ONTP MIN	

Public Law 2001, chapter 473 allows the Maine Turnpike Authority to share patron information with other toll agencies in order to facilitate cooperation between interstate toll agencies and technical compatibility in areas such as electronic toll collection.

PUBLIC 485 An Act to Reduce Administration in the Right-of-way Process of the LD 1881
Department of Transportation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP	
FISHER		

Public Law 2001, chapter 485 increases the dollar amount that the Department of Transportation can pay landowners for property without a formal appraisal from \$5,000 to \$15,000. A market analysis will be performed in place of the formal appraisal. In cases in which the landowner does not consent to the amount, a formal appraisal will be performed.

PUBLIC 486 An Act to Clarify Licensure for the Operation of Antique Trucks LD 1836

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-768

Public Law 2001, chapter 486 allows a person with a Class C driver's license to operate an antique truck as long as the truck is not being operated in commerce but for recreational, pleasure or show purposes.

PUBLIC 507 An Act to Allow Maine to Participate in the Federal Pilot Program LD 1978
for Drivers Delivering Home Heating Oil

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-807

Public Law 2001, chapter 507 instructs the Commissioner of Public Safety to allow Maine to participate in the Federal Motor Carrier Safety Administration, or "FMCSA" pilot program that allows for a restart of drivers' hours in order to allow for flexibility in the hours-of-service regulations. This pilot program, which lasts for 3

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years, is managed and monitored by the FMCSA and will provide data to the FMCSA for the purpose of evaluating current hours-of-service regulations.

PUBLIC 513 **An Act to Clarify the Overweight Fine Violation for Trucks** **LD 1863**
EMERGENCY **Carrying Certain Designated Commodities and Registered for**
 100,000 Pounds

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-806

Public Law 2001, chapter 513 clarifies the appropriate fine bases and fine schedules that apply for vehicle classes carrying special commodities.

Public Law 2001, chapter 513 was enacted as an emergency measure effective March 7, 2002.

PUBLIC 514 **An Act to Strengthen the Habitual Offender Law** **LD 1832**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM	H-816 SAVAGE W
GERZOFSKY		S-409

Public Law 2001, chapter 514 increases the period of driver license revocation for habitual motor vehicle offenders from one year to 3 years and provides that certain habitual offenders may petition for a work-restricted license following 18 months of license revocation. The law excludes a conviction of operating after suspension when the suspension is based on nonpayment of child support in the number of convictions included in the definition of "habitual offender."

PUBLIC 540 **An Act to Facilitate Water Well Drilling if Necessitated by** **LD 2150**
EMERGENCY **Emergency Drought Conditions**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-469
COLWELL		

Public Law 2001, chapter 540 allows a person operating a vehicle that is transporting well-drilling equipment to travel over a county or municipal way without a specific county or municipal permit during a period of drought emergency declared by the Governor, provided certain conditions are met.

Public Law 2001, chapter 540 was enacted as an emergency measure effective March 21, 2002.

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PUBLIC 560 An Act to Amend the Subdivision Review Criteria for Traffic LD 2082

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-867

Public Law 2001, chapter 560 implements the recommendation of the Joint Standing Committee to Study Growth Management. It amends the subdivision review criteria for traffic by requiring documentation from the Department of Transportation that includes a finding that the proposed subdivision conforms to the law regulating entrances to highways.

PUBLIC 563 An Act to Waive the Title Fee for Towed Abandoned Vehicles LD 2064

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON GOOLEY	OTP-AM	S-462

Public Law 2001, chapter 563 exempts from payment of a title fee a towing company that tows an abandoned vehicle at the request of a law enforcement officer, claims the vehicle and declares that the vehicle is a total loss, and properly notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law. The law also clarifies that notification from the Secretary of State to the owner and lienholder must inform the owner that the owner must pay \$23 to transfer the title. If the owner or person in possession of the proper document fails to deliver the proper document and registration plates to the Secretary of State, the Secretary of State may suspend the owner's privilege to title or register a vehicle.

**PUBLIC 565 An Act to Make Additional Allocations from the Highway Fund and LD 2092
EMERGENCY Other Funds for the Expenditures of State Government and to
Change Certain Provisions of State Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending June
30, 2002 and June 30, 2003**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER SAVAGE C	OTP-AM	H-949

Public Law 2001, chapter 565 does the following:

PART A

1. It makes additional allocations from the Highway Fund.
2. It makes additional allocations from the Federal Expenditure Fund.

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3. It makes additional allocations from the Highway Garage Fund.
4. It makes additional allocations from the Island Ferry Service Fund.

PART B

1. It makes allocations from the Highway Fund for approved reclassifications and range changes.
2. It makes allocations from the Federal Expenditures Fund for approved reclassifications and range changes.
3. It makes allocations from the Highway Garage Fund for approved reclassifications and range changes
4. It makes allocations from the Island Ferry Service Fund for approved reclassifications and range changes.

PART C

1. It makes allocations from the Highway Fund for anticipated salary costs.

PART D

1. It makes allocations from the Highway Fund.
2. It makes allocations from the Federal Expenditures Fund.

PART E

1. It makes allocations from the Highway Fund to cover the expenditures of the repealed Transportation Safety Fund.
2. It makes allocations from Other Special Revenue funds to reflect the repeal of the Transportation Safety Fund.

PART F

1. It repeals the Transportation Safety Fund.
2. It authorizes the transfer of all revenues from the Transportation Safety Fund to the Highway Fund.
3. It corrects a cross-reference.
4. It authorizes the transfer of all unencumbered balances from the Transportation Safety Fund to the unallocated surplus of the Highway Fund.

PART G

1. It provides enabling statutory language to implement a proposed constitutional amendment that will allow the State to issue temporary debt to be repaid with federal transportation funds.

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2. It specifies that the enabling statutory language will take effect only upon approval by the voters.

PART H

1. It allows the Department of Transportation to adopt certain major substantive rules.

PART I

1. It requires the Department of Transportation to work with certain state, federal and private agencies to revise certain interstate designations.

PART J

1. It amends provisions of Public Law 2001, chapter 314 to make minor corrections.

PART K

1. It allows more flexibility in the use of Urban-Rural Initiative Program funds by certain municipalities.

Public Law 2001, chapter 565 was enacted as an emergency measure effective March 26, 2002.

PUBLIC 585 An Act to Ensure the Safety of Maine Children While Riding in a LD 1867 Vehicle

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ	H-896
BENNETT	OTP-AM MIN	

Public Law 2001, chapter 585 requires a child who weighs less than 40 pounds to be secured in a child safety seat. It requires a child who weighs at least 40 pounds but less than 80 pounds and who is less than 8 years of age to be secured in a federally approved child restraint system when riding in a motor vehicle. It also requires that a child under 12 years of age who weighs less than 100 pounds be secured in the back seat of a vehicle, if possible, regardless of whether or not the vehicle is equipped with a front seat, passenger-side air bag.

PUBLIC 623 An Act to Amend the Laws Concerning Specialty License Plates LD 2009

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCNEIL	OTP-AM	H-928
O'GARA		

Public Law 2001, chapter 623 establishes the lobster special registration plate and the Lobster Research, Education and Development Fund. It also establishes the Maine Black Bears special registration plate and the Maine Black Bears Scholarship Fund. The law also tightens the requirements for the authorization of new specialty license plates.

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PUBLIC 671 An Act to Amend the Motor Vehicle Laws

LD 1844

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM MAJ	H-941
SAVAGE C	OTP-AM MIN	S-524 SAVAGE C

Public Law 2002, chapter 671 does the following.

1. It allows the Secretary of State to suspend a driver's license or vehicle registration for delinquent accounts payable to the Department of the Secretary of State, Bureau of Motor Vehicles.
2. It allows the Secretary of State to determine the appropriate compensation for 3rd-party agents who issue driver's license renewals.
3. It places special mobile equipment and tractors into the staggered registration system. Under the prior law, for the initial registration, registrants often paid the full annual fee for a partial year.
4. It provides the Secretary of State with the flexibility of issuing a special credential in lieu of a special plate. The credential will be used primarily to permit motor vehicles on short-term lease to be used for hire without displaying an "H" plate so long as the vehicle is covered by insurance and proper fees have been paid.
5. It adjusts the farm registration weight brackets to conform to the commercial registration weight brackets. Where the brackets have been adjusted, fees are proportional. This provision is intended to be revenue neutral.
6. It exempts the public or nonprofit organizations that make vehicles available to low-income persons from applying for a title in the organization's name.
7. It provides the Secretary of State additional flexibility to process title applications in a timely manner when a lienholder has sold its interest in a lien.
8. It clarifies language regarding the filing fee when a licensed dealer is applying for an additional type of dealer license, such as when a new car dealer seeks a motorcycle dealer license.
9. It allows any public or nonprofit organization that makes vehicles available to low-income persons to obtain a transporter plate in order to move a donated vehicle from point to point.
10. It clarifies that if a dealer is renting or leasing a vehicle or combination of vehicles to a customer a dealer plate cannot be used on that vehicle and it clarifies the 7-day use law.
11. It allows a person issued a special restricted license based on work or education need to operate beyond the restriction when accompanied by a licensed operator who has held a valid license for the past 2 consecutive years, is at least 20 years of age, is occupying a seat beside the driver and is licensed to operate the class of vehicle operated by the holder of the special restricted license.

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12. It allows temporary plates to be issued to a trailer or mobile home dealer to affix to a unit a customer has purchased.
13. It provides for increased fees to defray the additional highway costs caused by over-limit loads.
14. It clarifies that trucks registered for more than 26,000 pounds and Class A special mobile equipment are eligible for excise tax reimbursement. It also repeals obsolete language relating to the transition to the International Registration Plan.
15. It allows the State Tax Assessor to appoint the Secretary of State as an agent to collect excise tax for the unorganized territories.
16. It clarifies that a person operating an unregistered vehicle may be charged with a traffic infraction or crime. It also changes the limit that determines whether or not the penalty is considered a traffic infraction or a crime from 120 to 150 days.
17. It makes the penalties for operating a vehicle with an expired 14-day temporary registration plate consistent with the penalties for operating a vehicle with an expired permanent registration plate.
18. It allows the Secretary of State to issue a set of special veterans registration plates in the name of a company under certain conditions.
19. It allows the surviving spouse of the recipient of special veterans registration plates to use the plates, as long as the surviving spouse remains unmarried.
20. It clarifies that the Secretary of State may issue titles to semitrailers regardless of the age of the semitrailer.
21. It clarifies that the manufacturer's suggested retail price must be printed on titles for used vehicles if the manufacturer's suggested retail price appeared on the previous Maine title.
22. It clarifies that the Secretary of State may reissue a title if the lienholder fails to respond to a request to return the title or lien document.
23. It establishes a process that allows a person to voluntarily request the cancellation of a driver's license when the person is no longer able to operate a motor vehicle safely. The Secretary of State is authorized to cancel, and not necessarily suspend, the license of a person seeking the cancellation.
24. It removes the requirement that a person's social security number be displayed on a nondriver identification card. This does not affect state compliance with the minimum requirements of applicable federal laws.
25. It clarifies that the accompanying operator for a permit holder must have held a valid license for the past 2 consecutive years. It also provides that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, may act as the accompanying operator.
26. It authorizes the Secretary of State to approve hands-on motorcycle rider courses for the issuance of endorsements to operate motorcycles.

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27. It clarifies that the conditional driver's license provisions apply to residents and nonresidents convicted of operating under the influence in Maine.
28. It clarifies that the excise tax on trucks and truck tractors is based on the purchase price of the vehicle.

PUBLIC 681 An Act to Create the Transit Bonus Payment Program LD 507

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-780

Public Law 2001, chapter 681 establishes a transit bonus payment program within the Department of Transportation. The program allows municipalities that increase qualifying expenditures for transit to apply to the department for a transit bonus to the municipality's Urban-Rural Initiative Program payment. Funds must be used for eligible purposes under the Urban-Rural Initiative Program.

PUBLIC 687 An Act to Amend the Motor Vehicle Laws LD 2018

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-1032 S-593 GOLDTHWAIT

Public Law 2001, chapter 687 amends the motor vehicle laws as follows.

1. It corrects a conflict between 2 sections to clarify that a person operating a tractor or trailer used solely for farming purposes does not need an operator's license on a public way between farm lots.
2. It clarifies existing language regarding weighing points so that a sign directing a commercial motor vehicle operator to stop for weighing can be placed on a public way intersecting the way where the weighing point is located.
3. It defines an "electric personal assistive mobility device," also known as a Segway, and creates provisions governing its operation.
4. It authorizes the Commissioner of Transportation to undertake a 2-year pilot project that provides specified exemptions from specified truck weight requirements for 4-axle trucks hauling certain commodities. It also requires the commissioner and an advisory committee to meet with the Joint Standing Committee on Transportation during one of that committee's regularly scheduled meetings during the 2002 legislative interim to update the committee on matters pertaining to truck weight laws.
5. It clarifies that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, act as an accompanying operator.

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PUBLIC 688 An Act to Promote the Fiscal Sustainability of the Highway Fund LD 2020

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM MAJ	H-1042
GAGNON	OTP-AM MIN	

Public Law 2001, chapter 688 promotes the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1st. The index is retroactive to 1999. The law also requires the Department of Transportation to submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

PUBLIC 689 An Act to Modernize the Procurement Practices at the Department LD 1984 of Transportation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-798
SAVAGE C		

Public Law 2001, chapter 689 updates the procurement practices of the Department of Transportation by allowing for the posting of advertisements for bids on construction contracts on the Internet, instead of requiring the expense of legal notices in newspapers.

P & S 55 An Act to Make Allocations from Maine Turnpike Authority Funds LD 2047 for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2003

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-450

Private and Special Law 2001, chapter 55 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

RESOLVE 78 Resolve, to Direct the Department of Transportation to Submit LD 521 Proposed Legislation Permitting Limited Application of Canadian Highway Weight Standards

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON	OTP-AM MAJ	H-808
SHOREY	ONTP MIN	

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Resolve 2001, chapter 78 directs the Department of Transportation to submit proposed legislation to the Joint Standing Committee on Transportation in the next regular legislative session after the department has determined the location of a 3rd bridge in Washington County connecting Maine with New Brunswick, Canada. This legislation must include provisions to allow Canadian weight standards on Route 1 from the bridge to the junction of Route 1 and Route 9 in Baileyville.

RESOLVE 120 **Resolve, to Establish and Fund the Task Force on Rail** **LD 2214**
EMERGENCY **Transportation**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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Resolve 2001, chapter 120 establishes and funds the Task Force on Rail Transportation. The task force is comprised of legislators and non-legislators with rail interests. The duties of the task force are to evaluate current transportation policies and plans, develop an integrated statewide rail transportation policy and plan, and develop steps to implement this policy and plan. The task force will identify State budgetary strategies to assist railroads confronted with significant financial problems. The task force will also create a plan for educating the Legislature and the public on these policies and plans. The State's Railroad Preservation and Assistance Fund will fund the task force.

Resolve 2001, chapter 120 was enacted as an emergency measure effective April 11, 2002.

CON RES 1 **RESOLUTION, Proposing an Amendment to the Constitution of** **LD 1907**
 Maine to Allow for Loans to be Repaid With Federal
 Transportation Funds

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP-AM	H-842 FISHER
FISHER		S-419

Constitutional Resolution 2001, chapter 1 proposes to amend the Constitution of Maine to allow the State to issue temporary debt to be repaid with federal transportation funds to facilitate the development of highways, bridges and other transportation projects. It limits the amount of short-term debt that can be issued under the proposed amendment to the Constitution of Maine to 50% of transportation funds that were appropriated by the Federal Government in the prior federal fiscal year.

PASSED **JOINT STUDY ORDER – Relative to the Task Force to Study** **HP 1727**
 Regulatory Barriers to Affordable Housing

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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Transportation

HP1727 authorized the Joint Standing Committee on Appropriations and Financial Affairs to report out legislation regarding a task force on rail transportation and provide funding for the task force. The Joint Standing Committee on Appropriations and Financial Affairs reported out LD 2214, which was enacted as Resolve 2001, chapter 120.